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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/750,698

01/02/2004

William D. Cottrell

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3826

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EXAMINER

EDELL, JOSEPH F

ART UNIT

PAPER NUMBER

3636

MAIL DATE

DELIVERY MODE

03/06/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/750,698	Applicant(s) COTTRELL ET AL.	
	Examiner Joseph F. Edell	Art Unit 3636	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 04 February 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 11-27 and 29-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-27 and 29-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 16 January 2007 has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 6, 12, 14, 15, 18-22, 24, 30, 32, 35, and 36 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 3,752,376 to Shelton et al.

Shelton et al. disclose a vehicle mounted peripheral device station that includes all the limitations recited in claims 1-4, 6, 12, 14, 15, 18-22, 24, 30, 32, 35, and 36.

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Shelton et al. show a station having a vehicle seat 24 (see Fig. 1) adapted to receive a removable headrest, a peripheral device 58 unattached to the removable headrest, an adaptor 32 with at least one post 48 detachably connected to the seat, attached to the peripheral device, and capable of replacing the headrest and of securing the peripheral device to the seat, a support 34 connected to the adaptor and being a horizontal plate, and means for securing the peripheral device to the adaptor 66,72 functionally equivalent to that disclosed in the instant application, and at least one receptacle 30 to receive the post wherein peripheral device is a copier wherein the post is vertically pivotable, the plate has a plurality of edges (see Fig. 4), a plurality of side walls 40,42, one of the side walls is noncontinuous (wall 40 includes opening 44), and the seat includes a receptacle to receive the post.

Please note that Examiner reasonably interprets a copier as a machine for making copies of graphic matter (as printing, drawings, or pictures). The camera 58 of Shelton et al. inherently makes copies of graphic matter, and, therefore, is a copier.

Claims 1-5, 12-23, and 30-36 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,601,914 B1 to Seastrom.

Seastrom discloses a vehicle mounted peripheral device station that includes all the limitations recited in claims 1-5, 12-23, and 0-36. Seastrom shows a station having a vehicle seat 39 (see Fig. 5) adapted to receive a removable headrest, a peripheral device (see column 5, lines 51-54) unattached to the removable headrest and being a copier, an adaptor 10 (see Fig. 8), first and second posts 37 attached to the adaptor at a distanced from one another and detachably connected to the seat, a support surface 60

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connected to the adaptor and being a horizontal plate, and means for securing the peripheral device to the adaptor 62 functionally equivalent to that disclosed in the instant application wherein the posts are adjustable to modify the distance therebetween (see column 4, line 35), at least one post is inherently capable of vertically pivoting about point 30 (Fig. 1), the plate has a plurality of edges (see ends of plate 60 in Fig. 9), a plurality of side walls (vertically extending portions 26,26 in Fig. 9) spaced to inherently frictionally receive the peripheral device, and the seat include first and second receptacles to receive the posts.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 11 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seastrom in view of U.S. Patent No. 4,858,994 to Yamashita.

Seastrom discloses a station that is basically the same as that recited in claims 11 and 29 except that the station lacks the specified securing means, as recited in the claims. Yamashita shows a vehicle mounted headrest device similar to that Seastrom wherein the device has a component 1 (see Fig. 2) and an adaptor 9 secured to the component by adhesive. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the station of Seastrom such

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that the securing means is adhesive, such as the device disclosed by Yamashita. One would have been motivated to make such a modification in view of the suggestion in Yamashita that adhesive tape attaches the adaptor to the headrest device.

Claims 6-9 and 24-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seastrom in view of U.S. Patent No. 5,751,548 to Hall et al.

Seastrom discloses a station that is basically the same as that recited in claims 6-9 and 24-27 except that the side walls lack front and back walls, as recited in the claims. See Figure 9 of Seastrom for the teaching that the side walls include first and second side walls. Hall et al. show a mounting station similar to that Seastrom wherein the station has a device has a peripheral device 11,12 (Fig. 1), a support plate 24 (see Fig. 2), and a plurality of side walls including a front wall 38,38 with a reduced height in the middle, a noncontinuous back wall, and first and second side walls. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the station of Seastrom such that the side walls include a front wall with a reduce height and a back wall that is noncontinuous, such as the station disclosed by Hall et al. One would have been motivated to make such a modification in view of the suggestion in Hall et al. that the recited side walls configuration allows for the station to grip a keyboard of a multimedia device.

Response to Arguments

Applicant's arguments with respect to claims 1, 15, and 20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph F. Edell whose telephone number is (571) 272-6858. The examiner can normally be reached on Mon.-Fri. 8:30am-5:00pm.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Joseph F Edell/
Primary Examiner, Art Unit 3636
March 7, 2008